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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,799	07/22/2003	Tetsuji Omura	492322013400	5297

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EXAMINER

WILLIAMS, JOSEPH L

ART UNIT PAPER NUMBER

2879

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/623,799

Applicant(s)

OMURA, TETSUJI

Examiner

Joseph L. Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 9-13 and 19-21 is/are rejected.
- 7) ☒ Claim(s) 4-8 and 14-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 9-13, and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Sastani et al. (US 2004/0032207 A1).

The applied reference has a common inventor with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

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the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, Sastani ('201) teaches in Figure 5 an electroluminescent display device (no number) comprising: a device substrate (100) provided with an electroluminescent element (101), a sealing substrate (200) attached to the device substrate, a desiccant layer (205) disposed on the sealing substrate; and a stress buffering layer (high heat conducting layer (206)) disposed between the sealing substrate and the desiccant layer and configured to relieve stresses generated between the sealing substrate and the desiccant layer.

Regarding claim 2, Sastani ('201) teaches coefficient of thermal expansion of the stress buffering layer is higher than the coefficient of thermal expansion of the sealing substrate and lower than the coefficient of thermal expansion of the desiccant layer.

Regarding claim 3, Sastani ('201) teaches the stress buffering layer comprises a layer made of aluminum.

Regarding claim 9, Sastani ('201) teaches the device substrate is made of an inorganic glass (read synthetic resin).

Regarding claim 10, Sastani ('201) teaches the sealing substrate is made of an inorganic glass (read synthetic resin).

Regarding claim 11, Sastani ('201) teaches in Figure 5 an electroluminescent display device (no number) comprising a device substrate (100) provided with an electroluminescent element (101), a sealing substrate (200) attached to the device substrate, a pocket portion (201) formed on a surface of the sealing substrate, a desiccant layer (205) disposed in the pocket portion; and a stress buffering layer (read high heat conductive layer (206)) disposed between the sealing substrate and the desiccant layer and configured to relieve stresses generated between the sealing substrate and the desiccant layer.

Regarding claim 12, Sastani ('201) teaches the coefficient of thermal expansion of the stress buffering layer is higher than the coefficient of thermal expansion of the sealing substrate and lower than the coefficient of thermal expansion of the desiccant layer.

Regarding claim 13, Sastani ('201) teaches the stress buffering layer comprises a layer made of aluminum.

Regarding claim 19, Sastani ('201) teaches the device substrate is made of an inorganic glass (read synthetic resin).

Regarding claim 20, Sastani ('201) teaches the sealing substrate is made of an inorganic glass (read synthetic resin).

Regarding claim 21, Sastani ('201) teaches in Figure 5 an electroluminescent display device (no number) comprising: a device substrate (100) provided with an electroluminescent element (101), a sealing substrate (200) attached to the device substrate, a desiccant layer (205) disposed on the sealing substrate and containing a desiccant, wherein the coefficient of thermal expansion of the sealing substrate is 10×10^{-6} or less, and the coefficient of thermal expansion of the desiccant containing layer is between 30×10^{-6} and 40×10^{-6} (properties of the substrate and desiccant material).

Allowable Subject Matter

5. Claims 4-8 and 14-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record neither shows nor suggest a stress buffering layer comprised of Alq3, aluminum and a layer of Alq3, polyimide, or a layer of aluminum and a layer of polyimide.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Joseph L. Williams
Primary Examiner
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